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EXAMINER	
JOHNSON, ALAN M	

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2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/044,348	DUREAU, VINCENT	
	Examiner	Art Unit	
	Alan M. Johnson	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-27 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-27 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 06/11/02 07/03/03.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1- 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rakib (US2002/0019984A1) in view of Kunzman and Wetzel (1394 High Performance Serial Bus: The Digital Interface for ATV) in further view of Ludtke (6,421,069).

Considering claims 1, 8, 13, 17, 20, and 24 Rakib discloses a method and corresponding system comprising:

a first source for conveying a programming signal (78 Fig. 2)

a proxy receiver (78 Fig. 2) configured to receive a programming signal (the receiver receives the program signal from the headend, paragraph 53);

a transcode subsystem or interface (firewire, 86 Fig. 2) configured to communicate with a secondary device (80 Fig. 2), (paragraph 53);

Rakib is fails to disclose the details of the transcode system such as:

detect a communication from the secondary device;

determine a target data format corresponding to the target secondary device;

convey a request for a transcode subunit corresponding to the target data format in response to determining the transcode subsystem is not configured to support the target data format;

display an indication to a viewer as to where the requested subunit may be obtained, in response to determining the requested subunit is not automatically retrievable;

initiate transcoding of the received data from a first data format to a second data format.

detect a second received data conveyed via the programming signal;

discard the second received data in response to detecting a target data format of the second received data is not supported.

However in an analogous art, Kunzman discloses the system comprising:

a transcode subsystem or interface (Kunzman Fig. 1) coupled to the proxy receiver, wherein the transcode subsystem is configured to:

detect a communication from the secondary device (the proxy receiver detects initialization and registration data from other devices coupled to it, page 895 column 2 lines 24-31 and line 44- page 896 column 1 line 2);

determine a target data format corresponding to the target secondary device and initiate transcoding of the received data from a first data format to a second data format, (the firewire interface determines the target data format of the coupled secondary device using the firewire interface received by the use of the first device's initialization registers and then transcodes the data that is in the first format into CIP, which are packets that correspond to the second target data format of the target secondary device, the packets are then transmitted to the second device, when the second device receives the packets, they are converted back into the first format, page 896 column 1 line 39 – page 896 column 2 line 6);

detect a second received data conveyed via the programming signal (the firewire interface is coupled to the cable modem which is coupled to the internet meaning that the firewire interface, though cable modem, receives internet packets in

addition to the television programming, both via the programming signal, Rakib 78, 14, 74, 90, Fig. 2 and other devices that are coupled to the firewire interface, such as personal computers, Rakib 88 Fig. 2, will be able to access the internet;

discard the second received data in response to detecting a target data format of the second received data is not supported (when a device is connected to a system utilizing firewire, the device initialization process includes receiving an indicator of the type of data format that the newly initialized device is able to receive, therefore when packets that contain an unsupported format are sent to the device, the packets are discarded page 895 column 2 line 43 – page 896 column 1 line 2 and figure 5).

It would have been obvious to one of ordinary skill in the art to modify Rakib's system to include a transcode subsystem or interface, coupled to the proxy receiver, wherein the transcode subsystem is configured to: detect a communication from the secondary device; determine a target data format corresponding to the target secondary device; initiate transcoding of the received data from a first data format to a second data format, detect a second received data conveyed via the programming signal, and discard the second received data in response to detecting a target data format of the second received data is not supported, as taught by Kunzman, for the benefit of using the standard IEEE 1394 firewire protocol when transmitting data between coupled devices within the system.

Rakib and Kunzman fail to specifically teach a system that conveys a request for a transcode subunit corresponding to the target data format in response to determining the transcode subsystem is not configured to support the target data format;

and display an indication to a viewer as to where the requested subunit may be obtained, in response to determining the requested subunit is not automatically retrievable

In an analogous art Ludtke discloses a method and corresponding system that conveys a request for a transcode subunit (driving software) corresponding to the target data format in response to determining the transcode subsystem is not configured to support the target data format (in a firewire system, if the connected device does not contain the necessary self describing data to properly install and control the device, the system conveys a request for the internet address in which the data is to be obtained column 4 line 15-19);

and displays an indication to a viewer as to where the requested subunit (driving software) may be obtained, in response to determining the requested subunit is not automatically retrievable (the self describing information displays to the user where an internet address where driving software may be found controlling the operation of the device, column 4 lines 16-31, column 5 lines 13-19 and line 57);

It would have been obvious to one of ordinary skill in the art to modify the combined systems of Rakib and Kunzman to include a system that conveys a request for a transcode subunit corresponding to the target data format in response to determining the transcode subsystem is not configured to support the target data format; and displays an indication to a viewer as to where the requested subunit may be obtained, in response to determining the requested subunit is not automatically retrievable, as taught by Ludtke, for the benefit of allowing a system that utilizes firewire to configure support and install a wide variety of devices by including instructions on the newly connected devices of where to obtain driving software.

As for claim 2, Rakib, Kunzman, and Ludtke disclose a system wherein the transcode subsystem (Rakib, firewire 86 Fig. 2 and Kunzman Fig. 1) includes a config table (Kunzman, memory mapped registers) configured to associate the secondary device (Rakib, 80 Fig. 2) with the target data format (Kunzman, when the resource manager of the firewire system sets up the location for all of the other firewire nodes coupled to the system, it sets up a table with node specific information in the form of memory mapped registers, these registers contain format specific information that lets each node know what type of data format that other nodes are able to accept, page 895 column 2 lines 24-31 and line 43 – page 896 column 1 line 2);

Dealing with claims 3, 14, and 21 Rakib, Kunzman, and Ludtke disclose a method and corresponding system wherein the transcode subsystem or interface (Rakib, firewire, 86 Fig. 2 and Kunzman, Fig. 1) comprises a proxy receiver (Rakib, 78 Fig. 2) containing a control unit (Kunzman, ATV Control, Fig. 1) configured to access the config table to determine the target data format (Kunzman, page 895 column 2 lines 43-48),

and wherein the transcode subsystem (Rakib, firewire, 86 Fig. 2 and Kunzman, Fig. 1) coupled to the proxy receiver (Rakib, 78 Fig. 2) is further configured to register the secondary device (Rakib, 80 Fig. 2) in response to determining the transcode subsystem is configured to support the target data format (Kunzman, if the transcode subsystem cannot support the target data format, which is the format that the newly coupled firewire device receives, the packets from the secondary device will not be recognized by the proxy receivers firewire interface resulting in the packets from the secondary device being dropped and resulting in the secondary device not being registered as a firewire node, page 895 line 443- page 895 line 2).

With respect to claim 4, Rakib, Kunzman, and Ludtke disclose a system wherein the transcode subsystem (Rakib, firewire 86 Fig. 2 and Kunzman Fig. 1) comprises a transcode subunit (Ludtke, driving software) configured to perform the transcoding (Kunzman, Link Layer Fig. 1, the link layer transcodes the data into packets, CIP, that meet the firewire transmission protocol page 894 column 1 line 45).

In regard to claim 5, Rakib, Kunzman, and Ludtke disclose a system wherein the transcode subsystem (Rakib, firewire 86 Fig. 2 and Kunzman, Fig. 1) further comprises a second transcode subunit (Ludtke, driving software) configured to transcode data to a second data format (Kunzman, when control data is sent from the settop decoder to the cable modem, via the link layer, the data is formatted into firewire transmission packets [CIP] that correspond to a second data format by using the driving software on the settop decoders firewire interface, page 894 column 1 line 45 and page 896 column 1 line 39 – column 2 line 5).

Considering claim 6, 15, and 22 Rakib, Kunzman, and Ludtke disclose the system wherein the transcode subsystem (Rakib, firewire 86 Fig. 2 and Kunzman, Fig. 1) coupled to the proxy receiver (Rakib, 78 Fig. 2) is configured to:

detect an additional secondary device and register the additional secondary device (Kunzman, firewire networks up to 63 devices page 893 column 1 lines 18-21 and when a device is connected to a firewire network it is automatically detected and registered during the initialization process, page 895 column 2 line 43- page 896 column 1 line 2);

As for claims 7, 16, and 23 Rakib, Kunzman, and Ludtke disclose a system wherein registering the additional secondary device comprises storing an entry corresponding to the secondary device in the config table (Kunzman, memory mapped

registers), wherein the entry indicates the corresponding target data format (Kunzman, the registers store unique identifying information, including format information, about the other nodes coupled to the firewire subsystem, page 895 column 2 line 43 – page 896 column 1 line 2).

Dealing with claims 9, 18, 25, 26, Rakib, Kunzman, and Ludtke disclose the system wherein in response to determining the requested subunit (Ludtke, driving software) is automatically retrievable, the transcode subsystem (Rakib, firewire 86 Fig. 2 and Kunzman, Fig. 1) is further configured to:

receive the requested subunit from a remote location (Ludtke, Column 4 line 15-21);

automatically install the requested subunit (Ludtke, column 7 lines 61 – column 8 line 15);

register the unregistered secondary device (Ludtke, initialization column 8 lines 6-9 and Kunzman, when a device is connected to a firewire network it is automatically detected and registered during the initialization process, page 895 column 2 line 43- page 896 column 1 line 2);

transcode data from a first data format to a second data format using the subunit (Ludtke, driving software) and (Kunzman, the firewire interface determines the

target data format that the coupled secondary device using the firewire interface receives by use of the first device's initialization registers and then transcodes the data that is in the first format into CIP, which are packets that correspond to the second target data format of the target secondary device, the packets are then transmitted to the second device, when the second device receives the packets, they are converted back into the first format, page 896 column 1 line 39 – page 896 column 2 line 6);

With respect to claims 10, 19, and 27, Rakib, Kunzman, and Ludtke disclose the system wherein the indication comprises a message selected for a group consisting of: a link to a website where the requested subunit (Ludtke, driving software) may be obtained (Ludtke, driving software is obtained though the internet by self-describing information about the device which provides the internet address of the driving software column 4 lines 16-21 and the user configures and controls the operation of the device, column 4 lines 25-31).

Considering claim 11, Rakib, Kunzman, and Ludtke disclose a system wherein the system comprises a set-top box (Rakib, 80 Fig. 2).

In regard to claim 12, Rakib, Kunzman, and Ludtke disclose a system further configured to:

receive a first request from the secondary device (Rakib, 80 Fig. 2) for remote data (Rakib, the remote issues commands to the settop decoder using transceiver circuitry, paragraph 50);

and generate a second request corresponding to said first request, wherein said second request does not include an indication of a data format required by said secondary device, wherein said received data is responsive to said second request (Rakib, the settop decoder communicates commands to the headend though the cable modem communicates paragraph 49 and paragraph 50).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan M. Johnson whose telephone number is (571)272-7916. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AJ

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